UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,445	01/13/2004	Roy Ahoor	COS-99-055C1	1094

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EXAMINER
HO, CHUONG T

ART UNIT	PAPER NUMBER
2664	

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/755,445	AHOOR ET AL.
	Examiner	Art Unit	
	CHUONG T. HO	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>18-55</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>18-55</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892).

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>0*2/02/04*.</u>

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

1.   Claims 18-55 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 18-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over

McElhaney, Jr. et al. (U.S.Patent No. 6,823,479 B1) in view of Wilson et al. (U.S.Patent

No. 6,714,976 B1).

In the claim 18, McElhaney, Jr. et al. discloses the results are the pings are

recorded in step 340. At step 350 the results are organized. The final step 360 involves

displaying the results at the user web page (see col. 6, lines 28-30); the operational

status of the target web site ascertained and the appropriate test sequence is sent.

While there are numerous test sequences, only a particular test sequence will be

described in theis embodiment. The following step, step 120, an HTTP ping of the target

web site is performed. At step 125 the HTTP ping results are recorded (see col. 5, lines

35-40); comprising:

- Receiving a report (results) from a monitoring units (10, see figure 1), wherein

    each of the monitoring unit generates the reports based on one or more test

    messages sent to each of a plurality of remote network connected devices (30,

    40, 50, figure 1) (see col. 2, lines 36-45, test function libraries 13 provide

    convenient building blocks for developing test applications. A test function

contains commands to execute a specific network test...In order to create a new

test application, a user writes a script using the pre-written test functions. The

test function library 13 includes the following function) (see col. 4, lines 57-65);

- Associating, based on the received status reports (results), one of an available

  status (see col. 5, lines 35-40), and unavailable status, and an abnormal status

  with each of the plurality of remote network connected devices (30, 40, 50) (see

  col. 4, lines 57-65);

- Updating (see col. 6, lines 25 – 30) a web page with the status associated with

  each of the plurality of remote network connected devices (30, 40, 50, figure 1);

- Providing the web page to a user, wherein the web page displays the status

  associated with each of the plurality of remote network connected devices (30,

  40, 50, see figure 1) (see col. 6, lines 25-30).

However, McElhaney, Jr. et al. is silent to disclosing receiving a plurality of reports

from a plurality of monitoring units.

Wilson et al. discloses receiving a plurality of reports from a plurality of

monitoring units (See figure 1, MUM AGENTS 30, 32, 34, 36, 40) (see col. 5, lines 27-

30, each of the MUM agents 30, 32, 34, 36, 40) can operate autonomously to monitor

multiple components including local processor performance, local resources, local

processor configuration, the operation of the distributed application, the operation of the

various network devices including disks, file systems devices and tape, and other such

information) (the monitor elements 70-76 can include code modules that operate on the

node for collecting information about certain events and can also include a

programming interface for receiving calls from those code modules to pass the

notification of the detected event on to the monitor elements; comprising

- Receiving a plurality of reports from a plurality of monitoring units (see figure 1,

    MUM AGENTS 30, 32, 34, 36, 40), wherein each of the plurality of monitoring

    units generating the reports based on one or more test messages sent to each of

    a plurality of remote network connected devices (see col. 5, lines 27-32);

- Associating, based on the received status reports, one of an available status

    (states or conditions) (see col. 10, lines 11-13), and unavailable status, and an

    abnormal status with each of the plurality of remote network connected devices

    (12,14,16,18) (see col. 10, lines 27-30, this data may collected by the controller

    and stored in the data repository 220 for various uses, such as reporting out to

    the user at console 218);

- Updating (see col. 11, lines 52 – 57) a web page with the status associated with

    each of the plurality of remote network connected devices (12, 14, 16, figure 1);

Both McElhaney and Wilson discloses the test messages which sent to each a

plurality of remote network connected devices. Wilson recognizes receiving a plurality of

reports from a plurality of monitoring units wherein each of the plurality of monitoring

units generating the reports based one or more test message sent to each of a plurality

of remote network connected devices. Thus, it would have been obvious to one of

ordinary skill in the art at the time of the invention to modify the system of McElhaney

with the teaching of Wilson to provide a plurality of monitoring units generating the

reports based on one or more test messages sent to each of a plurality of remote

network connected devices in order to diagnose network faults. Therefore, it would have been enable the combined system to updated to keep up with the current network technology.

3.   In the claim 29, McElhaney, Jr. et al. discloses the results are the pings are recorded in step 340. At step 350 the results are organized. The final step 360 involves displaying the results at the user web page (see col. 6, lines 28-30); the operational status of the target web site ascertained and the appropriate test sequence is sent. While there are numerous test sequences, only a particular test sequence will be described in theis embodiment. The following step, step 120, an HTTP ping of the target web site is performed. At step 125 the HTTP ping results are recorded (see col. 5, lines 35-40); comprising:

- Receiving a report (results) from a monitoring units (10, see figure 1), wherein each of the monitoring unit generates the reports based on one or more test messages sent to each of a plurality of remote network connected devices (30, 40, 50, figure 1) (see col. 2, lines 36-45, test function libraries 13 provide convenient building blocks for developing test applications. A test function contains commands to execute a specific network test...In order to create a new test application, a user writes a script using the pre-written test functions. The test function library 13 includes the following function) (see col. 4, lines 57-65);

- A web generator configured to associating, based on the received status reports (results), one of an available status (see col. 5, lines 35-40), and unavailable

status, and an abnormal status with each of the plurality of remote network

connected devices (30, 40, 50) (see col. 4, lines 57-65);

- A web server configured to host a status web page (see col. 4, lines 57-65);

- Wherein the web generator is further configured to update (see col. 6, lines 25 –

 30) a web page with the status associated with each of the plurality of remote

 network connected devices (30, 40, 50, figure 1);

- Providing the web page to a user, wherein the web page displays the status

 associated with each of the plurality of remote network connected devices (30,

 40, 50, see figure 1) (see col. 6, lines 25-30).

However, McElhaney, Jr. et al. is silent to disclosing receiving a plurality of reports

from a plurality of monitoring units.

Wilson et al. discloses receiving a plurality of reports from a plurality of

monitoring units (See figure 1, MUM AGENTS 30, 32, 34, 36, 40) (see col. 5, lines 27-

30, each of the MUM agents 30, 32, 34, 36, 40) can operate autonomously to monitor

multiple components including local processor performance, local resources, local

processor configuration, the operation of the distributed application, the operation of the

various network devices including disks, file systems devices and tape, and other such

information) (the monitor elements 70-76 can include code modules that operate on the

node for collecting information about certain events and can also include a

programming interface for receiving calls from those code modules to pass the

notification of the detected event on to the monitor elements; comprising

- A queue (see col. 7, line 48) configured to receive a plurality of reports from a plurality of monitoring units (see figure 1, MUM AGENTS 30, 32, 34, 36, 40), wherein each of the plurality of monitoring units generating the reports based on one or more test messages sent to each of a plurality of remote network connected devices (see col. 5, lines 27-32);

- Associating, based on the received status reports, one of an available status (states or conditions) (see col. 10, lines 11-13), and unavailable status, and an abnormal status with each of the plurality of remote network connected devices (12,14,16,18) (see col. 10, lines 27-30, this data may collected by the controller and stored in the data repository 220 for various uses, such as reporting out to the user at console 218);

- Updating (see col. 11, lines 52 – 57) a web page with the status associated with each of the plurality of remote network connected devices (12, 14, 16, figure 1);

Both McElhaney and Wilson discloses the test messages which sent to each a plurality of remote network connected devices. Wilson recognizes receiving a plurality of reports from a plurality of monitoring units wherein each of the plurality of monitoring units generating the reports based one or more test message sent to each of a plurality of remote network connected devices. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of McElhaney with the teaching of Wilson to provide a plurality of monitoring units generating the reports based on one or more test messages sent to each of a plurality of remote network connected devices in order to diagnose network faults. Therefore, it would have

been enable the combined system to updated to keep up with the current network technology.

4.   In the claim 40, McElhaney, Jr. et al. discloses the results are the pings are recorded in step 340. At step 350 the results are organized. The final step 360 involves displaying the results at the user web page (see col. 6, lines 28-30); the operational status of the target web site ascertained and the appropriate test sequence is sent. While there are numerous test sequences, only a particular test sequence will be described in theis embodiment. The following step, step 120, an HTTP ping of the target web site is performed. At step 125 the HTTP ping results are recorded (see col. 5, lines 35-40); comprising:

- Receiving a report (results) from a monitoring units (10, see figure 1), wherein each of the monitoring unit generates the reports based on one or more test messages sent to each of a plurality of remote network connected devices (30, 40, 50, figure 1) (see col. 2, lines 36-45, test function libraries 13 provide convenient building blocks for developing test applications. A test function contains commands to execute a specific network test...In order to create a new test application, a user writes a script using the pre-written test functions. The test function library 13 includes the following function) (see col. 4, lines 57-65);

- Associating, based on the received status reports (results), one of an available status (see col. 5, lines 35-40), and unavailable status, and an abnormal status with each of the plurality of remote network connected devices (30, 40, 50) (see col. 4, lines 57-65);

- Incorporating the status associated with each of the plurality of remote network

  connected devices into historical information associated with each of the plurality

  of remote network connected devices (see col. 6, lines 25-30);

- Analyzing the historical information to produce analysis data for each of the

  plurality of remote network connected devices (see col. 6, lines 25-30);

- Providing analysis data associated with at least one of the plurality of remote

  network connected devices to one or more recipients (see col. 6, lines 25-30).

However, McElhaney, Jr. et al. is silent to disclosing receiving a plurality of reports

from a plurality of monitoring units.

Wilson et al. discloses receiving a plurality of reports from a plurality of

monitoring units (See figure 1, MUM AGENTS 30, 32, 34, 36, 40) (see col. 5, lines 27-

30, each of the MUM agents 30, 32, 34, 36, 40) can operate autonomously to monitor

multiple components including local processor performance, local resources, local

processor configuration, the operation of the distributed application, the operation of the

various network devices including disks, file systems devices and tape, and other such

information) (the monitor elements 70-76 can include code modules that operate on the

node for collecting information about certain events and can also include a

programming interface for receiving calls from those code modules to pass the

notification of the detected event on to the monitor elements; comprising

- Receiving a plurality of reports from a plurality of monitoring units (see figure 1,

  MUM AGENTS 30, 32, 34, 36, 40), wherein each of the plurality of monitoring

units generating the reports based on one or more test messages sent to each of

a plurality of remote network connected devices (see col. 5, lines 27-32);

- Associating, based on the received status reports, one of an available status

  (states or conditions) (see col. 10, lines 11-13), and unavailable status, and an

  abnormal status with each of the plurality of remote network connected devices

  (12,14,16,18) (see col. 10, lines 27-30, this data may collected by the controller

  and stored in the data repository 220 for various uses, such as reporting out to

  the user at console 218);

- Updating (see col. 11, lines 52 – 57) a web page with the status associated with

  each of the plurality of remote network connected devices (12, 14, 16, figure 1);

Both McElhaney and Wilson discloses the test messages which sent to each a

plurality of remote network connected devices. Wilson recognizes receiving a plurality of

reports from a plurality of monitoring units wherein each of the plurality of monitoring

units generating the reports based one or more test message sent to each of a plurality

of remote network connected devices. Thus, it would have been obvious to one of

ordinary skill in the art at the time of the invention to modify the system of McElhaney

with the teaching of Wilson to provide a plurality of monitoring units generating the

reports based on one or more test messages sent to each of a plurality of remote

network connected devices in order to diagnose network faults. Therefore, it would have

been enable the combined system to updated to keep up with the current network

technology.

5.   In the claim 46, McElhaney, Jr. et al. discloses the results are the pings are

recorded in step 340. At step 350 the results are organized. The final step 360 involves

displaying the results at the user web page (see col. 6, lines 28-30); the operational

status of the target web site ascertained and the appropriate test sequence is sent.

While there are numerous test sequences, only a particular test sequence will be

described in theis embodiment. The following step, step 120, an HTTP ping of the target

web site is performed. At step 125 the HTTP ping results are recorded (see col. 5, lines

35-40); comprising:

- Receiving a report (results) from a monitoring units (10, see figure 1), wherein

  each of the monitoring unit generates the reports based on one or more test

  messages sent to each of a plurality of remote network connected devices (30,

  40, 50, figure 1) (see col. 2, lines 36-45, test function libraries 13 provide

  convenient building blocks for developing test applications. A test function

  contains commands to execute a specific network test…In order to create a new

  test application, a user writes a script using the pre-written test functions. The

  test function library 13 includes the following function) (see col. 4, lines 57-65);

- A web generator configured to associating, based on the received status reports

  (results), one of an available status (see col. 5, lines 35-40), and unavailable

  status, and an abnormal status with each of the plurality of remote network

  connected devices (30, 40, 50) (see col. 4, lines 57-65);

- A web server configured to host a status web page (see col. 4, lines 57-65);

- Wherein the web generator is further configured to update (see col. 6, lines 25 –

  30) a web page with the status associated with each of the plurality of remote

  network connected devices (30, 40, 50, figure 1);

- Providing the web page to a user, wherein the web page displays the status

  associated with each of the plurality of remote network connected devices (30,

  40, 50, see figure 1) (see col. 6, lines 25-30).

However, McElhaney, Jr. et al. is silent to disclosing receiving a plurality of reports

from a plurality of monitoring units.

Wilson et al. discloses receiving a plurality of reports from a plurality of

monitoring units (See figure 1, MUM AGENTS 30, 32, 34, 36, 40) (see col. 5, lines 27-

30, each of the MUM agents 30, 32, 34, 36, 40) can operate autonomously to monitor

multiple components including local processor performance, local resources, local

processor configuration, the operation of the distributed application, the operation of the

various network devices including disks, file systems devices and tape, and other such

information) (the monitor elements 70-76 can include code modules that operate on the

node for collecting information about certain events and can also include a

programming interface for receiving calls from those code modules to pass the

notification of the detected event on to the monitor elements; comprising

- A queue (see col. 7, line 48) configured to receive a plurality of reports from a

  plurality of monitoring units (see figure 1, MUM AGENTS 30, 32, 34, 36, 40),

  wherein each of the plurality of monitoring units generating the reports based on

one or more test messages sent to each of a plurality of remote network connected devices (see col. 5, lines 27-32);

- Associating, based on the received status reports, one of an available status (states or conditions) (see col. 10, lines 11-13), and unavailable status, and an abnormal status with each of the plurality of remote network connected devices (12,14,16,18) (see col. 10, lines 27-30, this data may collected by the controller and stored in the data repository 220 for various uses, such as reporting out to the user at console 218);

- Updating (see col. 11, lines 52 – 57) a web page with the status associated with each of the plurality of remote network connected devices (12, 14, 16, figure 1);

Both McElhaney and Wilson discloses the test messages which sent to each a plurality of remote network connected devices. Wilson recognizes receiving a plurality of reports from a plurality of monitoring units wherein each of the plurality of monitoring units generating the reports based one or more test message sent to each of a plurality of remote network connected devices. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of McElhaney with the teaching of Wilson to provide a plurality of monitoring units generating the reports based on one or more test messages sent to each of a plurality of remote network connected devices in order to diagnose network faults. Therefore, it would have been enable the combined system to updated to keep up with the current network technology.

6.   In the claim 52, McElhaney, Jr. et al. discloses the results are the pings are

recorded in step 340. At step 350 the results are organized. The final step 360 involves

displaying the results at the user web page (see col. 6, lines 28-30); the operational

status of the target web site ascertained and the appropriate test sequence is sent.

While there are numerous test sequences, only a particular test sequence will be

described in theis embodiment. The following step, step 120, an HTTP ping of the target

web site is performed. At step 125 the HTTP ping results are recorded (see col. 5, lines

35-40); comprising:

- A first activation area on the graphical user interface for displaying one or more

  graphical status indicators associated with each of a remote network connected

  devices, wherein each of the monitoring unit generates the reports based on one

  or more test messages sent to each of a plurality of remote network connected

  devices (30, 40, 50, figure 1) (see col. 2, lines 36-45, test function libraries 13

  provide convenient building blocks for developing test applications. A test

  function contains commands to execute a specific network test... In order to

  create a new test application, a user writes a script using the pre-written test

  functions. The test function library 13 includes the following function) (see col. 4,

  lines 57-65);

- Wherein each of the one or more graphical status indicators activates, upon user

  selection, a selected one a plurality of second activation areas (see col. 3, lines

  64-67);

- Wherein each of the second activation areas display details of the one or more

    test performed on a corresponding one of the plurality of remote network

    connected devices (see col. 2, lines 36-45, test function libraries 13 provide

    convenient building blocks for developing test applications. A test function

    contains commands to execute a specific network test...In order to create a new

    test application, a user writes a script using the pre-written test functions. The

    test function library 13 includes the following function);

However, McElhaney, Jr. et al. is silent to disclosing receiving a plurality of reports

from a plurality of monitoring units.

Wilson et al. discloses receiving a plurality of reports from a plurality of

monitoring units (See figure 1, MUM AGENTS 30, 32, 34, 36, 40) (see col. 5, lines 27-

30, each of the MUM agents 30, 32, 34, 36, 40) can operate autonomously to monitor

multiple components including local processor performance, local resources, local

processor configuration, the operation of the distributed application, the operation of the

various network devices including disks, file systems devices and tape, and other such

information) (the monitor elements 70-76 can include code modules that operate on the

node for collecting information about certain events and can also include a

programming interface for receiving calls from those code modules to pass the

notification of the detected event on to the monitor elements; comprising

- Receiving a plurality of reports from a plurality of monitoring units (see figure 1,

    MUM AGENTS 30, 32, 34, 36, 40), wherein each of the plurality of monitoring

units generating the reports based on one or more test messages sent to each of

a plurality of remote network connected devices (see col. 5, lines 27-32);

- Associating, based on the received status reports, one of an available status

  (states or conditions) (see col. 10, lines 11-13), and unavailable status, and an

  abnormal status with each of the plurality of remote network connected devices

  (12,14,16,18) (see col. 10, lines 27-30, this data may collected by the controller

  and stored in the data repository 220 for various uses, such as reporting out to

  the user at console 218);

- Updating (see col. 11, lines 52 – 57) a web page with the status associated with

  each of the plurality of remote network connected devices (12, 14, 16, figure 1);

Both McElhaney and Wilson discloses the test messages which sent to each a

plurality of remote network connected devices. Wilson recognizes receiving a plurality of

reports from a plurality of monitoring units wherein each of the plurality of monitoring

units generating the reports based one or more test message sent to each of a plurality

of remote network connected devices. Thus, it would have been obvious to one of

ordinary skill in the art at the time of the invention to modify the system of McElhaney

with the teaching of Wilson to provide a plurality of monitoring units generating the

reports based on one or more test messages sent to each of a plurality of remote

network connected devices in order to diagnose network faults. Therefore, it would have

been enable the combined system to updated to keep up with the current network

technology.

7.   In the claims 55, 54, McElhaney, Jr. et al. discloses the results are the pings are

recorded in step 340. At step 350 the results are organized. The final step 360 involves

displaying the results at the user web page (see col. 6, lines 28-30); the operational

status of the target web site ascertained and the appropriate test sequence is sent.

While there are numerous test sequences, only a particular test sequence will be

described in theis embodiment. The following step, step 120, an HTTP ping of the target

web site is performed. At step 125 the HTTP ping results are recorded (see col. 5, lines

35-40); comprising:

- A device list that includes a list of remote network connected devices to be

  tested, a set of possible network routes used to access the remote network

  connected devices, and types of tests to be performed on each device of the

  network connected devices; a plurality of queues (see col. 2, lines 36-45);

- A timing unit configured to read the device list to obtain identifiers associated with

  each of the network connected devices and the type of tests to be performed on

  each of the network connected devices, and deposit the identifiers and the type

  of tests in appropriate queues of the plurality of queues (see col. 2, lines 36-45);

- Each of the plurality of monitoring units being associated with a respective one of

  the plurality of queues, wherein each of the plurality of monitoring units is

  configured to read the identifier and the type of test from a respective queue of

  the plurality of queues, send one or more test messages, based on the type of

  test, to a network connected device corresponding to the identifier (see col. 2,

  lines 36-45);

- Create status information for the network connected device based on the network

    connected device's response to the one or more test message (see col. 4, lines

    57-65).

However, McElhaney, Jr. et al. is silent to disclosing receiving a plurality of reports

from a plurality of monitoring units.

Wilson et al. discloses receiving a plurality of reports from a plurality of

monitoring units (See figure 1, MUM AGENTS 30, 32, 34, 36, 40) (see col. 5, lines 27-

30, each of the MUM agents 30, 32, 34, 36, 40) can operate autonomously to monitor

multiple components including local processor performance, local resources, local

processor configuration, the operation of the distributed application, the operation of the

various network devices including disks, file systems devices and tape, and other such

information) (the monitor elements 70-76 can include code modules that operate on the

node for collecting information about certain events and can also include a

programming interface for receiving calls from those code modules to pass the

notification of the detected event on to the monitor elements; comprising

- Receiving a plurality of reports from a plurality of monitoring units (see figure 1,

    MUM AGENTS 30, 32, 34, 36, 40), wherein each of the plurality of monitoring

    units generating the reports based on one or more test messages sent to each of

    a plurality of remote network connected devices (see col. 5, lines 27-32);

- Associating, based on the received status reports, one of an available status

    (states or conditions) (see col. 10, lines 11-13), and unavailable status, and an

    abnormal status with each of the plurality of remote network connected devices

(12,14,16,18) (see col. 10, lines 27-30, this data may collected by the controller

and stored in the data repository 220 for various uses, such as reporting out to

the user at console 218);

- Updating (see col. 11, lines 52 – 57) a web page with the status associated with

  each of the plurality of remote network connected devices (12, 14, 16, figure 1);

Both McElhaney and Wilson discloses the test messages which sent to each a

plurality of remote network connected devices. Wilson recognizes receiving a plurality of

reports from a plurality of monitoring units wherein each of the plurality of monitoring

units generating the reports based one or more test message sent to each of a plurality

of remote network connected devices. Thus, it would have been obvious to one of

ordinary skill in the art at the time of the invention to modify the system of McElhaney

with the teaching of Wilson to provide a plurality of monitoring units generating the

reports based on one or more test messages sent to each of a plurality of remote

network connected devices in order to diagnose network faults. Therefore, it would have

been enable the combined system to updated to keep up with the current network

technology.

8.   In the claims 19, 41, 47, McElhaney discloses the web page displays a

graphical status indicator corresponding to the status associated with each of the

plurality of remote network connected devices (see col. 6, lines 25-30).

9.   In the claims 20, 21, 31, 32, 43, McElhaney discloses accumulating historical

information for each of the plurality of remote network connected devices based on the

plurality of status reports over a period of time; and analyzing the historical information

to produce statistical data that evidences performance of the network connected

devices (see col. 6, lines 25-50).

10.   In the claims 22, 23, 33, 34, 44, 45, 51, McElhaney discloses performing a

multivariate regression analysis to ascertain cause and effect relationship between data

of the historical information (see col. 6, lines 25-50).

11.   In the claims 24, 25, 26, 30, 35, 36, 37, McElhaney discloses the available

status indicates that a corresponding network connected device of the plurality of

remote network connected devices is available for handling message traffic (see col. 6,

lines 25-50).

12.   In the claims 27, 38, 49, McElhaney discloses updating the web page with a

throughput value, a test type, a data rate, and a network device identifier associated

with each of the plurality of remote network connected devices (see col. 6, lines 25-50).

13.   In the claims 28, 39, 53, McElhaney discloses the web page displays a bar

graph illustrating throughput values associated with a selected one of the plurality of

remote network connected devices (see col. 3, lines 64-67).

14.   In the claims 42, 48, McElhaney discloses the analysis data is provided to the

one or more recipients via e-mails or pages (see col. 4, lines 62-65, test application

results can made available to appropriate personnel via email or pager notification,

enabling action to be taken as soon as possible).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG T. HO whose telephone number is (571) 272-3133. The examiner can normally be reached on 8:00 am to 4:00 pm.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Ajit Patel
Primary Examiner

08/20/05